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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/768,953	01/24/2001	Jan Holler	45687-00049	4272

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ERICSSON INC.
6300 LEGACY DRIVE
M/S EVR C11
PLANO, TX 75024

EXAMINER

LEE, PHILIP C

ART UNIT

PAPER NUMBER

2154

DATE MAILED: 01/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Notice of Allowability

Application No.

09/768,953

Examiner

Philip C Lee

Applicant(s)

HOLLER ET AL.

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 08/23/04.
2. ☒ The allowed claim(s) is/are 41-72.
3. ☒ The drawings filed on 21 May 2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 1/24/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with Sidney Weatherford, reg. no. 45,602 on January 05, 2005.
3. The application has been amended as follows:
 - a. Replace claim 41 to read as of the following:

In Claim 41,

41. (Currently Amended) A method of establishing quality of service (QoS) between a terminal and an end node in an IP network utilizing resource reservation, the method comprising the steps of:

connecting the terminal to the end node via an access node in the IP network;
determining parameters necessary to establish a specific QoS between the terminal and the end node;
determining whether the terminal is using resource reservation, wherein
if the terminal is not using resource reservation:

indicating that resource reservation signaling applies from the access node to the end node and
identifying parameters necessary to establish the specific QoS; and if true

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if the terminal is using resource reservation;
 instructing the terminal to disable the resource reservation feature;
 responsive to the instructions to disable the resource reservation feature, the
 terminal sending a message towards ~~to~~ the end node to indicate that the terminal
 shall not use resource reservation; and

changing the message prior to forwarding to the end node to indicate that resource
 reservation capabilities shall be used, wherein the message change includes the determined
 parameters, including the specific QoS and type of QoS mode, wherein the specific QoS and
 type of QoS mode is supported only between the access node and the end node; and

performing resource reservation between the access node and the end node utilizing a resource
 reservation proxy.

- b. Replace claim 51 to read as of the following:

In Claim 51,

51. (Currently Amended) A network node for routing calls and establishing quality of
 service (QoS) between a terminal and an end node in an IP network, wherein the IP network
 utilizes resource reservation signaling, the network node comprising:

a resource reservation proxy coupled to the network node having means for performing resource
 reservation between the access node and the end node; and

a functional entity resident on the network node having

means for determining whether the terminal uses resource reservation ~~protocol~~,
wherein

if the terminal is not using resource reservation,

the functional entity utilizing means for indicating that resource
 reservation signaling applies from the access node to the end node
 and for identifying parameters necessary to establish the specific
 QoS between the terminal and the end node; and

if the terminal is using resource reservation ~~so~~, the functional entity further including:
 means for instructing the terminal to operate without the resource reservation ~~protocol~~;
 and

if upon the terminal sending ~~sends~~ a message to towards the end node indicating that the
 terminal does not support resource reservation, means for changing the message, prior to
forwarding to the end node, to indicate support for resource reservation, the changed

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message including ~~[[a]]~~ the specific QoS and type of QoS mode that will be supported only between the access node and the end node.

c. Replace claim 62 to read as of the following:

In Claim 62,

62. (Currently Amended) A communication system comprising:

a network node for routing calls and establishing quality of service (QoS) between a terminal and an end node in an IP network, wherein the IP network utilizes resource reservation signaling, the network node comprising:

a resource reservation proxy coupled to the network node having means for performing resource reservation between the access node and the end node; and

a functional entity resident on the network node having means for determining whether the terminal uses resource reservation ~~protocol~~, wherein

if the terminal is not using resource reservation, the functional entity utilizing means for

indicating that resource reservation signaling applies from the access node to the end node and for identifying parameters necessary to establish a specific QoS for the terminal;

and

if the terminal is using resource reservation ~~so~~, the functional entity further including:

means for instructing the terminal to operate without the resource reservation ~~protocol~~; and

~~if upon the terminal sending~~ sends a message ~~towards~~ to the end node indicating that the terminal does not support resource reservation,

means for changing the message, prior to forwarding to the end node, to indicate support for resource reservation, the changed


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message including [[a]] the specific QoS and type of QoS mode that will be supported only between the access node and the end node.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip C. Lee whose telephone number is (571) 272-3967.

Philip Lee

January 05, 2004

 JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100